

STATE OF ALABAMA
SHELBY COUNTY

SUBORDINATION OF MORTGAGE

THIS SUBORDINATION OF MORTGAGE executed this 23rd day of February, 1996, by FIRST COMMERCIAL BANK ("First Commercial"), and Michael H. Collins and wife, Nancy Collins ("Collins").

WITNESSETH:

WHEREAS, Collins' is/are the owner(s) of the real estate more particularly described as follows:

Lot 1, according to the Survey of Valleybrook Phase III, as recorded in Map Book 13, Page 101, in the Probate Office of Shelby County, Alabama.

WHEREAS, Collins' heretofore executed a mortgage in favor of First Commercial Bank, filed for record October 7, 1994, recorded in 1994/30668, in the Probate Office of Shelby County, Alabama (the "First Commercial Mortgage"); and

WHEREAS, Collins' now desire(s) to obtain a mortgage loan from Castle Mortgage Corporation (the "Castle Mortgage") in the principal amount of \$ 137,625.00****; and

WHEREAS, Castle Mortgage Corporation is desirous of extending credit to Collins' provided that First Commercial subordinates the lien of the First Commercial Mortgage; and

WHEREAS, in order to induce Castle Mortgage Corporation to make the loan to Collins', First Commercial is willing and desirous to subordinate the lien of the First Commercial Mortgage to the lien of the mortgage of Castle Mortgage Corporation dated 23rd day of February, 1996, executed by Collins', filed for record in the Probate Office of Shelby County, Alabama, recorded in/as Inst.No. 1996-1145

NOW, THEREFORE, for and in consideration of the premises and of Ten and No/100 Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned do hereby covenant, stipulate, warrant and agree as follows:

1. First Commercial hereby subordinates all its right, title and interest in and to the lien created by the First Commercial Mortgage and other loan documents as defined in the mortgage in favor of Castle Mortgage Corporation, its successors and assigns; provided, however, that nothing herein shall be construed to subordinate any rights that First Commercial may have under its mortgage to any debts owing to Castle Mortgage Corporation by (the) Collins' in excess of the original \$137,625.00**** secured by the Castle Mortgage.

2. Collins', as mortgagor(s) under the First Commercial Mortgage, hereby consent(s) to the subordination of the First Commercial Mortgage to the Castle Mortgage.

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SHELBY COUNTY JUDGE OF PROBATE
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Inst # 1996-07446

IN WITNESS WHEREOF, the parties have hereunto caused this Subordination of Mortgage to be executed effective this 23rd day of February, 1996.

Michael H. Collins
Michael H. Collins

Nancy Collins
Nancy Collins

FIRST COMMERCIAL BANK

BY: W. Charlton Barger
W. Charlton Barger
ITS: Vice President

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael H. Collins and wife, Nancy Collins whose name s are signed to the foregoing Subordination, and who are known to me, acknowledged before me on this day that, being informed of the contents of the Subordination, have executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of February, 1996.

W. B. Seal
Notary Public

My Commission Expires: 09/21/98

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that W. Charlton Barger, whose name as Vice President, of FIRST COMMERCIAL BANK, is signed to the foregoing Subordination, and who is known to me acknowledged before me this day that, being informed of the contents of said instrument, has as such officer, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 16th day of February, 1996.

Bina Mitchell
Notary Public

MY COMMISSION EXPIRES 10-25-97

Inst # 1996-07446

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SHELBY COUNTY JUDGE OF PROBATE
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